

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MATTHEW JONES, §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 1:23-CV-447-MJT-
§ CLS
ORANGE TEXAS POLICE §
DEPARTMENT, JASPER POLICE §
DEPARTMENT, and TEXAS HIGHWAY §
PATROL, §
§
Defendants. §

**MEMORANDUM ORDER OVERRULING
PLAINTIFFS' OBJECTIONS AND ADOPTING THE REPORT AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE [Dkt. 6]**

Pursuant to 28 U.S.C. § 636 and the Local Rules of Court for the Assignment of Duties to United States Magistrate Judges, the District Court referred this proceeding to the Honorable Christine L. Stetson to conduct all pretrial proceedings, to enter findings of fact and recommend disposition on case-dispositive matters, and to determine non-dispositive matters. *See* 28 U.S.C. § 636(b)(1); E.D. TEX. LOC. R. CV-72.

Plaintiff, proceeding *pro se* and *in forma pauperis*, filed suit on December 4, 2023, alleging he was the victim of rape by various law enforcement during an interstate road trip in the Summer of 2000 [Dkt. 1]. On December 18, 2023, Judge Stetson entered a Report and Recommendation [Dkt. 6] advising the Court to dismiss with prejudice Plaintiff's claims as frivolous pursuant to 28 U.S.C. §1915(e)(2). Judge Stetson found that Plaintiff's claims were frivolous as he had no cause of action under the cited Federal statutes and Texas law's relevant statute of limitations would bar a diversity suit.

Plaintiff filed late objections [Dkt. 7] on January 12, 2024. These objections are non-responsive to Judge Stetson's legal analysis and are almost devoid of legal argument. Plaintiff's sole legal objection is that police officers should not be entitled to any legal immunity. Judge Stetson's Report and Recommendation did not touch upon that issue. After careful review, the Court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, Plaintiff's objections are OVERRULED, and the Report and Recommendation of the United States Magistrate Judge [Dkt. 6] is ADOPTED. Plaintiff's claims are DISMISSED with prejudice pursuant to 28 U.S.C. §1915(e)(2). A final judgment will be entered by the Court.

IT IS SO ORDERED.

SIGNED this 17th day of January, 2024.



Michael J. Truncale
United States District Judge